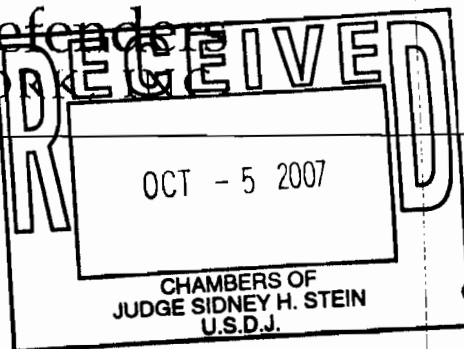


Federal Defenders
OF NEW YORK

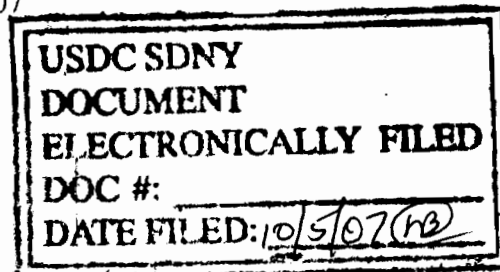
Southern District
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Leonard F. Joy
Executive Director

Southern District of New York
John J. Byrnes
Attorney-in-Charge



October 5, 2007



Honorable Sidney H. Stein
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street, Room 1010
New York, New York 10007

MEMO ENCLOSED

Re: United States v. Raphael Rodriguez
07 Cr. 749 (SHS)

Dear Judge Stein:

This is to request an adjournment of the trial date presently scheduled for November 26, 2007 to any date in December, 2007. I have recently taken over this case from Peter Tsapatsaris of my office. Mr. Tsapatsaris has left our office on today's date. I have spoken to Assistant United States Attorney Michael D. Maimin who has no objection to this request.

A conference had been scheduled for this case on October 3, 2007 but through an oversight Mr. Rodriguez was not produced. A new conference date of October 11, 2007 has been scheduled.

I consent that speedy trial time under 18 USC § 3161(h)(8)A be excluded until that date 10/11/07. in the interests of justice.

Respectfully submitted,

John J. Byrnes
Attorney-in-Charge
Tel.: (212) 417-8735

The Court finds that the ends of justice served by this continuance outweigh the best interests of the public and the defendant in a speedy trial pursuant to 18 USC 3161(h)(8). The trial date will be discussed on 10/11/07

JJB/ef

cc: Michael Maimin, Esq.
Assistant United States Attorney

SO ORDERED 10/5/07

SIDNEY H. STEIN
U.S.D.J.